

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

-vs.-

SHANNON JAMES KEPLER,

Defendant.

No. 20-CR-00276-GKF

DEFENDANT’S MOTION *IN LIMINE* No. 2

Defendant Shannon J. Kepler, by counsel, hereby moves the Court to limit the Government, its agents, representatives and witnesses from introducing evidence of or commenting upon the condition of the Keplers’ residence and vehicles depicting significant items of personal property, trash and other things. The items could be considered evidence of “hoarding.” In support hereof, Defendant provides the following:

1. Defendant stands charged by an indictment returned against him on November 5, 2020, alleging four (4) counts: 1) First Degree Murder in Indian Country, 2) Causing Death by Use of a Firearm During and in Relation to a Crime of Violence, 3) Assault with a Dangerous Weapon in Indian Country, and 4) Forfeiture Allegation.
2. The charges stem from an incident that occurred in Tulsa County, Oklahoma on August 14, 2014.

3. During the course of the execution of search warrants of the home and vehicle of Mr. and Mrs. Kepler, numerous photographs were taken and there appears to be a lot of personal items, junk, debris and trash strewn about the house and vehicle,

4. Defendant seeks to prohibit the Government from eliciting testimony or offering exhibits depicting the substantial amount of such items.

5. Defendant contends that such evidence should not be admitted on the grounds that such evidence will cause confusion of the issues and would be prejudicial. Rule 403, FRE. Rule 403, Federal Rules of Evidence, authorizes exclusion of relevant evidence when its “probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.”

WHEREFORE, the Defendant prays the Court grant his Motion in *Limine* and prohibit or limit the Government from introducing testimony or other evidence relating to the above matters concerning the Defendant, and for such other relief to which Defendant is justly entitled.

Respectfully submitted,

/s/ Stanley D. Monroe

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Attorney for Defendant Kepler

CERTIFICATE OF SERVICE

I hereby certify that on the 15th of April, 2021, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Sean J. Taylor
Ross E. Lenhardt

/s/ Stanley D. Monroe
Stanley D. Monroe